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10 Attorneys for Defendant
11 Integrity Motorcar, Inc.

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 AMBER M. ORTIZ,

15 Plaintiff,

16 vs.

17 INTEGRITY MOTORCAR, INC.

18 Defendants.
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Case No.:

[*Superior Court of the State of
California County of Los Angeles,
Case No. 21STLC07895*]

**DEFENDANT'S NOTICE OF
REMOVAL OF CIVIL ACTION
TO FEDERAL COURT**

1 **TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL**
2 **DISTRICT OF CALIFORNIA AND TO PLAINTIFF:**

3
4 PLEASE TAKE NOTICE that Defendant Integrity Motorcar, Inc. (“Integrity
5 Motorcar”) respectfully files this Notice of Removal pursuant to 28 U.S.C. § 1331 and
6 28 U.S.C 1441(a), and removes the above-captioned matter from the Superior Court
7 of the State of California for the County of Los Angeles to the United States District
8 Court for the Central District of California. This Court has federal question
9 jurisdiction over the action pursuant to 28 U.S.C. § 1331 and 28 U.S.C. § 1441(a) for
10 the following reasons:
11
12

13 **BACKGROUND**

14 1. On November 3, 2021, Plaintiff Amber M. Ortiz (“Plaintiff”) filed a
15 Complaint in the Superior Court of the State of California, County of Los Angeles,
16 entitled *Amber M. Ortiz v. Integrity Motorcar* and designated Case Number
17 21STLC07895 (the “State Court Action”). A true and correct copy of the Complaint,
18 and all pleadings, processes, and orders served on the Defendant in the state action, is
19 attached hereto as **Exhibit A.**
20
21

22 2. In the Complaint, Plaintiff alleges that Defendant has discriminated against
23 her under the United States American with Disabilities Act and Unruh Act. *See*
24 *generally* Ex. A, Compl. In her Prayer for Relief, Plaintiff requests compensatory
25 damages in the amount of \$4,000. *Id.*
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TIMELINESS OF REMOVAL

3. Integrity Motors was served, improperly, with a copy of the Complaint in the State Court Action on March 16, 2022. Thus, this Notice of Removal is timely under 28 U.S.C. § 1446(b). Defendant reserves all rights as to service and this filing does not constitute a waiver of service.

PLACE OF REMOVAL

4. The United States District Court for the Central District of California is the appropriate venue for removing an action from the Superior Court of the State of California for the County of Los Angeles, where the State Court Action is pending. 28 U.S.C. § 1441(a).

FEDERAL QUESTION JURISDICTION

5. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441(a) in that it arises under the United States American with Disabilities Act. Accordingly, federal question jurisdiction exists under 28 U.S.C. § 1331.

CONCLUSION

6. For the foregoing reasons, the State Court Action is within the original jurisdiction of this Court and is therefore removable to this Court pursuant to 28 U.S.C. § 1331 and 28 U.S.C. 1441(a).

1 7. No admission of fact, law, or liability is intended by this Notice of Removal,
2 and all defenses, affirmative defenses, and motions are hereby preserved.
3

4 8. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal is being
5 filed with the Clerk of the Superior Court of the State of California in the county of
6 Los Angeles. The Notice of Removal is also concurrently being served on all parties.
7

8 WHEREFORE, Defendant Integrity Motors removes the above-captioned
9 action from the Superior Court of the State of California in the County of Los Angeles
10 to the United States District Court for the Central District of California.
11

12 Dated: April 14, 2022

BEZDIK KASSAB LAW GROUP

13
14
15 By: /s/ Raffi Kassabian
16 Raffi Kassabian,
17 Attorneys for Defendant
18 Integrity Motorcar, Inc.
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EXHIBIT A

21STLC07895

Electronically FILED by Superior Court of California, County of Los Angeles on 11/03/2021 04:34 PM Sherri R. Carter, Executive Officer/Clerk of Court, by R. Perez, Deputy Clerk

SUM-100

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

INTEGRITY MOTORCAR, business form unknown, and DOES 1-50,

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

AMBER M. ORTIZ,

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):

Stanley Mosk Courthouse
111 North Hill Street
Los Angeles CA 90012

CASE NUMBER:
(Número del Caso):

21STLC07895

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Amber M. Ortiz, In Pro Per 213-864-8801
1507 Arlington, Los Angeles, CA 90019-4553 Sherri R. Carter Executive Officer / Clerk of Court

DATE:
(Fecha) 11/03/2021Clerk, by
(Secretario)

R. Perez

Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):
- ☐ on behalf of (specify):

under: <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
- ☐ by personal delivery on (date):

Page 1 of 1

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer: Katherine Chilton

electronically FILED by Superior Court of California, County of Los Angeles on 11/03/2021 04:34 PM Sherri R. Carter, Executive Officer/Clerk of Court, by R. Perez, Deputy Clerk

PLD-PI-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Amber M. Ortiz, In Pro Per 1507 Arlington Los Angeles CA 90019-4553 TELEPHONE NO: 213-864-8801 FAX NO. (Optional): E-MAIL ADDRESS (Optional): Heather@bhdosxservices.com ATTORNEY FOR (Name): Amber M. Ortiz, In Pro Per	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles 90012 BRANCH NAME: Stanley Mosk Courthouse	
PLAINTIFF: AMBER M. ORTIZ, DEFENDANT: INTEGRITY MOTORCAR, business form unknown, and,	
<input checked="" type="checkbox"/> DOES 1 TO 1-50 COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER (specify): <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Other Damages (specify): ADA/UNRUH ACT	
Jurisdiction (check all that apply): <input checked="" type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input checked="" type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	CASE NUMBER: 21STLC07895

1. Plaintiff (name or names): **Amber M. Ortiz, In Pro Per**
 alleges causes of action against defendant (name or names):
INTEGRITY MOTORCAR, business form unknown, and DOES 1-50,
2. This pleading, including attachments and exhibits, consists of the following number of pages:
3. Each plaintiff named above is a competent adult
 - a. ☐ **except plaintiff (name):**
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):
 - b. ☐ **except plaintiff (name):**
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

Page 1 of 3

PLD-PI-001

SHORT TITLE:
AMBER M. ORTIZ V. INTEGRITY MOTORCAR.

CASE NUMBER:

4. ☐ Plaintiff (name):
 is doing business under the fictitious name (specify):

 and has complied with the fictitious business name laws.
5. Each defendant named above is a natural person
- a. ☒ except defendant (name): **INTEGRITY MOTORCAR**
- (1) ☒ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- c. ☐ except defendant (name):
- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- b. ☐ except defendant (name):
- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- d. ☐ except defendant (name):
- (1) ☐ a business organization, form unknown
 (2) ☐ a corporation
 (3) ☐ an unincorporated entity (describe):

 (4) ☐ a public entity (describe):
 (5) ☐ other (specify):
- ☐ Information about additional defendants who are not natural persons is contained in Attachment 5.
6. The true names of defendants sued as Does are unknown to plaintiff.
- a. ☒ Doe defendants (specify Doe numbers): **1-25** were the agents or employees of other named defendants and acted within the scope of that agency or employment.
- b. ☒ Doe defendants (specify Doe numbers): **26-50** are persons whose capacities are unknown to plaintiff.
7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):
8. This court is the proper court because
- a. ☐ at least one defendant now resides in its jurisdictional area.
 b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.
 c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.
 d. ☐ other (specify):
9. ☐ Plaintiff is required to comply with a claims statute, and
- a. ☐ has complied with applicable claims statutes, or
 b. ☐ is excused from complying because (specify):

PLD-PI-001

SHORT TITLE:
AMBER M. ORTIZ V. INTEGRITY MOTORCAR.

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (*each complaint must have one or more causes of action attached*):

- a. ☐ Motor Vehicle
- b. ☐ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☐ Premises Liability
- f. ☒ Other (*specify*):
ADA/UNRUH ACT

11. Plaintiff has suffered

- a. ☐ wage loss
- b. ☐ loss of use of property
- c. ☐ hospital and medical expenses
- d. ☐ general damage
- e. ☐ property damage
- f. ☐ loss of earning capacity
- g. ☒ other damage (*specify*):
DISCRIMINATION AND INCONENIECE

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (*in cases for personal injury or wrongful death, you must check (1)*):

- (1) ☐ according to proof
- (2) ☒ in the amount of: \$ 4,000.00

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (*specify paragraph numbers*):

Date: 10-29-2021

Amber M. Ortiz, In Pro Per

(TYPE OR PRINT NAME)


 (SIGNATURE OF PLAINTIFF OR ATTORNEY)

MC-025

SHORT TITLE:
 AMBER M. ORTIZ V. INTEGRITY MOTORCAR.

CASE NUMBER:

ATTACHMENT (Number): 1-Verified Compl

(This Attachment may be used with any Judicial Council form.)

FIRST CAUSE OF ACTION

(PLAINTIFF AGAINST ALL DEFENDANTS)

VIOLATION OF CIVIL CODE SECTIONS 51, 52, 54 and 54.1

1. Plaintiff is ignorant of the defendants sued as Does 1-50. Once the names are ascertained, Plaintiff will amend the complaint to reflect those names.
2. At all times mentioned herein Defendant INTEGRITY MOTORCAR, business form unknown, and DOES 1-50, is doing business on the website, known as <http://www.integritymotorcar.com/> ("WEBSITE"). The Defendant's physical address is located at 22935 Savi Ranch Parkway, Yorba Linda, California 92887.
3. At all times mentioned herein AMBER M. ORTIZ has been, disabled. "Disability" means any mental or physical disability as defined in Sections 12926 and 12926.1 of the Government Code. Civil Code Section 51(e)(1).
4. Plaintiff has visited Defendant's public accommodation WEBSITE and has been denied full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever." (Civ. Code, § 51, subd. (b).)
5. Through their WEBSITES, Defendants offer vital data such as: research tools, information, data to compare accommodations, information to allow travel, purchasing products, offering of services, products for online sale and home delivery to the public.
6. The WEBSITE's barriers have previously denied Plaintiff full and equal access to all of the services Defendant's WEBSITE offers, and now deter Plaintiff from attempting to use Defendant's WEBSITE in the future.
7. Despite their disabilities, Plaintiff is able and ready to visit Defendant's WEBSITE once it is made compliant. Plaintiff's disabilities, and the challenges Plaintiff face in physically traveling to and shopping in traditional brick-and-mortar retailers as a result of them, make it particularly likely that Plaintiff will return to Defendant's WEBSITE in the future to purchase Defendant's goods from the comfort of their homes.
8. As a result of having visited Defendant's WEBSITE in the past, and of investigations performed on Plaintiff's behalf, Plaintiff is aware that Defendant's WEBSITE provides insufficient access to disabled persons. The following subparagraphs detail some of the defects with the WEBSITE:
 - a. A proper text equivalent for every non-text element is not provided. Does not provide appropriate alternative text that presents the content of the image and/or the function of the link. All non-text content that is presented to the user has a text alternative that serves the equivalent purpose;
 - b. Information about the meaning and structure of content is not conveyed by more than the visual presentation of content;
 - c. All functionality of the content of the website is not operable through a keyboard interface requiring specific timings for individual keystrokes. The website cannot be navigated with a keyboard and/or the navigation of the website with the keyboard is not consistent across the website. All functionality is not available from a keyboard.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 4 of 7

(Add pages as required)

MC-025

SHORT TITLE:
 AMBER M. ORTIZ V. INTEGRITY MOTORCAR.

CASE NUMBER:

ATTACHMENT (Number): 2-Verified Compl

(This Attachment may be used with any Judicial Council form.)

i. Navigation of the website is not consistent across the website. A mechanism is not always available to bypass blocks of content that are repeated on multiple web pages. Navigational mechanisms that are repeated on multiple Web pages within a set of Web pages does not occur in the same relative order each time they are repeated;

ii. Plaintiff has performed a detailed investigation and Plaintiff alleges under information and belief that the WEBSITE lacks "titles that describe their topic or purpose." All form submission error messages identify any empty required fields. Upon receiving discovery, this paragraph will be amended. The purpose of each link cannot be determined from the link text alone or from the link text and its programmatically determined link context;

9. Defendant's WEBSITE fails to comply with Web Content Accessibility Guidelines Version 2.0 ("WCAG 2.0 AA"), Unruh Act and ADA.

10. If the WEBSITE were accessible, i.e. if Defendant removed these barriers, Plaintiff could independently have equal access to the entire WEBSITE.

11. Plaintiff has performed a detailed investigation and Plaintiff alleges under information and belief that although it appears that the Defendant does not have centralized policies regarding the maintenance and operation of its WEBSITE, it appears from an almost exhaustive review that Defendant has never had a plan or policy that is reasonably calculated to make its WEBSITE fully accessible to, and independently usable by, individuals with disabilities. As a result, the complained of access barriers are permanent in nature and likely to persist. Upon receipt of discovery, Plaintiff shall amend the complaint to reflect such information as needed.

12. The law requires that Defendant's WEBSITE be accessible to Plaintiff and others with disabilities. Removal of the barriers identified above is readily achievable and may be carried out without much difficulty or expense.

13. Removal of these barriers would make Defendant's WEBSITE accessible to Plaintiff allowing him to independently shop for and perform research via Defendant's WEBSITE.

14. Inaccessible WEBSITE violated the Unruh Civil Rights Act (Civ. Code, C 51 et seq.) which mandates "full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever." (Civ. Code, C 51, subd. (b).)

15. Under subdivision (f). Section 302(a) of Title III of the ADA, 42 U.S.C. C 12101 et seq., provides: "No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation." 42 U.S.C. C 12182(a).

16. As a reference, Defendant's WEBSITE is a public accommodation within the definition of Title III of the ADA, 42 U.S.C. C 12181(7).

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 5 of 7

(Add pages as required)

MC-025

SHORT TITLE:
 AMBER M. ORTIZ V. INTEGRITY MOTORCAR.

CASE NUMBER:

ATTACHMENT (Number): 3-Verified Compl

(This Attachment may be used with any Judicial Council form.)

17. Unlawful discrimination also includes, among other things: a failure to make reasonable modifications in policies, practices or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges, advantages or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages or accommodations; and a failure to take such steps as may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids and services, unless the entity can demonstrate that taking such steps would fundamentally alter the nature of the good, service, facility, privilege, advantage or accommodation being offered or would result in an undue burden.

18. Through Civ. Code, § 51, subd. (f), Title III of ADA requires that "[a] public accommodation shall furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities." 28 C.F.R. § 36.303(c)(1).

19. Plaintiffs have not been provided services that are provided to other patrons who are not disabled, and/or have been provided services that are inferior to the services provided to non-disabled persons. Defendant has failed to take any prompt and equitable steps to remedy its discriminatory conduct. These violations are ongoing.

20. Plaintiffs' claims are warranted by existing law or by non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law.

21. The Unruh Civil Rights Act also provides that a "violation of . . . the federal Americans with Disabilities Act of 1990 . . . shall also constitute a violation of this section." Civ. Code, § 51, subd. (f). "On examining the language, statutory context, and history of section 51, subdivision (f), we conclude . . . [t]he Legislature's intent in adding subdivision (f) was to provide disabled Californians injured by violations of the ADA with the remedies provided by section 52. A plaintiff who establishes a violation of the ADA, therefore, need not prove intentional discrimination in order to obtain damages under section 52." *Munson v. Del Taco, Inc.* (2009) 46 Cal.4th 661, 665.

22. Pursuant to Civil Code Section 52(a) and the remedies, procedures and rights set forth and incorporated therein, Plaintiffs request relief as set forth below.

23. The instant complaint is a sole claim under Unruh as the event happened in the state of California and the federal laws are for reference purposes.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 6 of 7

(Add pages as required)

MC-025

SHORT TITLE:

CASE NUMBER:

AMBER M. ORTIZ V. INTEGRITY MOTORCAR.

ATTACHMENT (Number): 4-Verified Compl

(This Attachment may be used with any Judicial Council form.)

PRAYER

WHEREFORE, PLAINTIFF PRAYS FOR JUDGMENT AGAINST THE DEFENDANTS, AND EACH OF THEM, AS FOLLOWS:

1. A minimum of \$4,000.00 in statutory damages;
2. For attorney's fees and costs;
3. For such other and further relief as to the Court seems just and proper

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 7 of 7

(Add pages as required)

VERIFICATION

STATE OF CALIFORNIA, COUNTY OF Los Angeles

I have read the foregoing **COMPLAINT**

and know its contents.

☒ **CHECK APPLICABLE PARAGRAPH**

- ☒ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.
- ☒ I am ☐ an Officer ☐ a partner ☒ a **Plaintiff In Pro Per** of **1507 Arlington, Los Angeles, CA 90**

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

☒ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. ☒ The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

☐ I am one of the attorneys for

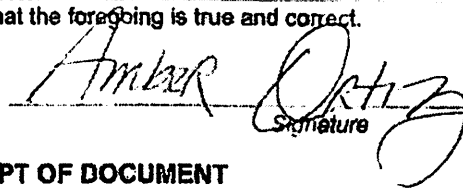
a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on 10-21, 2021, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Amber M. Ortiz, In Pro Per

Type or Print Name



Signature

ACKNOWLEDGMENT OF RECEIPT OF DOCUMENT
(other than summons and complaint)

Received copy of document described as _____

on _____, 20____.

Type or Print Name

Signature

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY

On employed in the county of _____, State of California.

I am over the age of 18 and not a party to the within action; my business address is: _____

On _____, 20____, I served the foregoing document described as _____

_____ on _____

in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

☐ (BY MAIL) I caused such envelope postage thereon fully prepaid to be placed in the United States mail at _____, California.

Executed on _____, 20____, at _____, California.

☐ (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the offices of the addressee.

Executed on _____, 20____, at _____, California.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

2020-SJ-005-00

FILED
Superior Court of California
County of Los Angeles

FEB 24 2020

Sherril R. Carter, Executive Officer/Clerk
By [Signature] Deputy
Lorena Albino

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

In re Civil Limited Jurisdiction Cases) **THIRD AMENDED STANDING ORDER**
Calendared in Departments 25 & 26 (Non-) (Effective as of February 24, 2020)
Collection Cases) at the Spring Street)
Courthouse)

TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:

Pursuant to the California Code of Civil Procedure (C.C.P.), the California Rules of Court (C.R.C.), and the Los Angeles County Court Rules (Local Rules), the Los Angeles Superior Court (LASC or Court) HEREBY AMENDS AND SUPERSEDES THE NOVEMBER 13, 2019, SECOND AMENDED STANDING ORDER, AND THE COURT HEREBY ISSUES THE FOLLOWING STANDING ORDER THAT SHALL APPLY TO ALL LIMITED CIVIL (NON-COLLECTION) CASES FILED AND/OR HEARD IN DEPARTMENTS 25 & 26.

1. PLAINTIFF(S) IS/ARE ORDERED TO SERVE A COPY OF THIS STANDING ORDER ON THE DEFENDANT(S) WITH COPIES OF THE SUMMONS AND COMPLAINT AND TO FILE PROOF OF SERVICE, AS MANDATED IN THIS ORDER.

2. The Court sets the following trial date in this case at the Spring Street Courthouse in the Limited Jurisdiction Department as reflected in the *Notice of Case Assignment*:

TRIAL:

Date: 05/03/2023 at 8:30 a.m.

SERVICE OF SUMMONS AND COMPLAINT

3. The trial date set forth above is conditioned on the defendant(s) being served with the summons and complaint within six (6) months of the filing of the complaint. The trial date may be continued to a later date if service is not accomplished within six months. The parties may stipulate to keep the original trial date even if service of the summons and complaint is not completed within six months of the filing of the original complaint.

4. The summons and complaint shall be served upon the defendant(s) within three years after the complaint is filed in this action. (C.C.P., § 583.210, subd. (a).) Failure to comply will result in dismissal, without prejudice, of the action, as to all unserved parties who have not been dismissed as of that date. (C.C.P., § 581, subd. (g).) The dismissal without prejudice as to the unserved parties for this case shall be effective on the following date:

UNSERVED PARTIES DISMISSAL DATE

11/06/2024

5. No case management, mandatory settlement or final status conferences will be conducted in this case.

LAW AND MOTION

All regularly noticed pretrial motions will be heard in the courtroom the case is assigned to on Mondays, Tuesdays, Wednesdays, and Thursdays at 10:30 a.m. A motion will be heard only if a party reserves a hearing date by going to the court's website at www.lacourt.org and reserving it through the Court Reservation System accessed via the "Divisions" tab at the top of the webpage, and by selecting "Civil". All motions should be filed at the filing window on the first floor of the Stanley Mosk Courthouse and filed and served in accordance with C.C.P., § 1005, subd. (b), and all other relevant statutes.

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6. Tentative Rulings may be posted on the Court's website no later than the day prior to the hearing. To access tentative rulings, parties may go to www.lacourt.org, select "Civil" from the "Divisions" tab at the top of the webpage, then select "Tentative Rulings," and type the case number in the box and click "Search."

EX PARTE APPLICATIONS

7. Ex parte applications must be noticed for 1:30 p.m. in the courtroom the case is assigned to and filed and served in accordance with C.R.C., rules 3.1201-3.1207. All electronic filers must submit the application and fees by 10:00 a.m. the day before the ex parte hearing. Any ex parte applications exempt from electronically filing, must be submitted by 11:00 a.m. the day of the hearing, at the filing window on the first floor of the Stanley Mosk Courthouse.

JURY FEES

8. The fees for jury trial shall be due no later than 365 calendar days after the filing of the initial complaint or as otherwise provided by C.C.P., § 631, subds. (c)(2).

STIPULATION TO CONTINUE TRIAL

9. A trial will be postponed if all attorneys of record and/or the parties who have appeared in the action stipulate in writing to a specific continued date. If the stipulation is filed less than five (5) court days before the scheduled trial date, then a courtesy copy of the stipulation must be provided to the assigned courtroom. A proposed order shall be lodged along with the stipulation.

TRIAL

10. Parties are to appear on the trial date ready to go to trial and must meet and confer on all pretrial matters at least 20 calendar days before the trial date. On the date of trial, the parties shall bring with them to the courtroom where the case is assigned a three-ring binder with a table of contents containing conformed copies of each of the following documents behind a separate tab.

- 1) Printed copies of the current operative pleadings (including the operative complaint; answer; cross-complaint, if any; and answer to cross-complaint);
- 2) Motions in Limine, if any, which must be served and filed in accordance with the Local Rules, rule 3.57;
- 3) Joint Statement of the Case (if a jury trial);

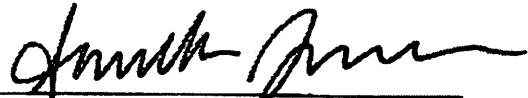
- 1 4) Joint Witness List disclosing an offer of proof regarding the testimony of each
- 2 witness, the time expected for testimony of each witness, the total time expected
- 3 for all witnesses, and the need, if any, for an interpreter;
- 4 5) Joint Exhibit List;
- 5 6) Printed and edited Joint Proposed Jury Instructions (if a jury trial), and
- 6 7) Printed Joint Proposed Verdict Form(s) (if a jury trial).

7 The parties shall also bring a second binder containing the Joint Exhibits in an Exhibit Book
8 numbered appropriately.

9 **FAILURE TO PROVIDE ANY OF THE AFOREMENTIONED DOCUMENTS ON**
10 **THE TRIAL DATE MAY CAUSE A DELAY IN THE CASE BEING ASSIGNED TO A**
11 **TRIAL COURT.**

12 **GOOD CAUSE APPEARING THEREFOR, IT IS ORDERED.**

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14
15 Dated: Feb. 24, 2020


16 SAMANTHA P. JESSNER
17 Supervising Judge, Civil
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GEN-16-Limited Jurisdiction Portal-PJ

FILED
 Superior Court of California
 County of Los Angeles

JUN 29 2016

Sherri R. Carter, Executive Officer/Clerk

By Rafaela M. Mena, Deputy
Rafaela M. Mena

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES**

In re Limited Jurisdiction Civil Cases
 Calendared in the Los Angeles County
 Superior Court

**GENERAL ORDER RE LIMITED
 JURISDICTION CIVIL PROCEDURES:
 NOTICE OF WEB PORTAL
 AVAILABILITY FOR INTERPRETER
 REQUESTS
 (Effective July 11, 2016)**

TO EACH PARTY:

In order to expedite the availability of interpreters at hearings on limited jurisdiction civil cases, **IT IS HEREBY ORDERED** that each limited jurisdiction civil plaintiff shall, along with the complaint and other required documents, serve all named defendants with the *Notice of the Availability of Web Portal for Interpreter Requests*; this notice informs the litigants that the Los Angeles County Superior Court provides interpreter services in limited jurisdiction civil cases at no cost to parties with limited English proficiency and that Spanish language interpreters are available in courtrooms where limited jurisdiction civil hearings are held. The notice will be provided to the plaintiff at the time the limited jurisdiction civil action is filed, if filed at the clerk's office, and will also be posted on the Los Angeles County Superior Court internet website (<http://www.lacourt.org/>). Plaintiff(s) must then indicate service of the *Notice of Availability of Web Portal for Interpreter Requests* on line 2(f) of the Proof of Service of Summons form (POS-010).

Effective immediately, this General Order is to remain in effect until otherwise ordered by the Presiding Judge.

DATED: June 29, 2016



Carolyn B. Kuhl
 CAROLYN B. KUHL
 Presiding Judge

GENERAL ORDER – LIMITED JURISDICTION CIVIL PORTAL

Notice of Availability of Limited Civil Jurisdiction Web Portal for Interpreter Requests

The Los Angeles Superior Court provides interpreter services at no cost to parties with limited English proficiency in Limited Civil Jurisdiction hearings. Spanish interpreters are available at all courthouse locations. Therefore, it is not necessary to request a Spanish language interpreter in advance. If you require a Spanish interpreter, please let the courtroom staff know about your need on the day of your hearing. Limited English proficient individuals who speak a language other than Spanish may request an interpreter in advance of their court hearing via the Court's Web Portal for Interpreter Requests <http://www.lacourt.org/irud/UI/index.aspx>. While the Court will make every effort to locate an interpreter for the date and time of your hearing, it cannot guarantee that one will be immediately available. If you have general questions about language access services, please contact us at LanguageAccess@LACOURT.org.

**Մանուցագիր սահմանափակ իրավասության քաղաքացիական գործերով թարգմանչական ծառայության խնդրանք
ներկայացնելու համար նախատեսված առցանց դարպասի անկայության մասին**

Լոս Անջելեսի Առաջին ատյանի դատարանն անվճար թարգմանչական ծառայություններ է տրամադրում սահմանափակ իրավասության քաղաքացիական վարույթների՝ անգլերենի սահմանափակ իմացություն ունեցող կողմերին: Իսպաներենի թարգմանչի անկայությունը բոլոր դատարաններում ապահովված է: Ուստի, իսպաներենի թարգմանչի հայտ նախօրոք ներկայացնել անհրաժեշտ չէ: Եթե իսպաներենի թարգմանչի կարիք ունեք, ապա խնդրում ենք այդ մասին Ձեր լսման օրը տեղեկացնել դատարանի դահլիճի տեղեկագրին: Անգլերենի սահմանափակ իմացություն ունեցող անձինք, ովքեր խոսում են իսպաներենից բացի այլ մեկ այլ լեզվով, կարող են թարգմանչի խնդրանք ներկայացնել նախօրոք՝ նախքան իրենց լսման օրը, Դատարանի՝ Թարգմանչական ծառայության խնդրանքների համար նախատեսված առցանց դարպասի միջոցով <http://www.lacourt.org/irud/UI/index.aspx>: Թեև դատարանն ամեն ինչ կանի Ձեր լսման օրն ու ժամին թարգմանչի ներկայություն ապահովելու համար, սակայն դատարանը չի երաշխավորում, որ նման ներկայություն անմիջապես հնարավոր կլինի ապահովել: Լեզվական մատչելիության ծառայությունների վերաբերող հարցերով խնդրում ենք դիմել LanguageAccess@LACOURT.org:

关于小额索赔传译员申请门户的可用性通知

在小额索赔庭审中，洛杉矶高等法院为英语能力有限的各方人士提供免费传译员服务。在举行小额索赔庭审的所有法庭中，均有现成的西班牙语传译员。如果您需要西班牙语传译员，请在您的庭审当日将您的需求告知法庭工作人员。在庭审前，英语能力有限的非西班牙语人士可通过法院的传译员申请网络门户 <http://www.lacourt.org/irud/UI/index.aspx> 提前申请传译员。法院会尽力按您的庭审日期和时间安排传译员，但法院无法保证能够即时提供传译员。如果您有关于语言服务的疑问，请联系 LanguageAccess@LACourt.org。

통역사 신청을 위한 소액 청구 웹 포털 이용 통지

로스앤젤레스 상급법원은 소액 청구 심리에서 영어가 능숙하지 않은 당사자들에 대해 통역 서비스를 무료로 제공합니다. 스페인어 통역사는 소액 청구 심리가 열리는 모든 법정에서 손쉽게 제공할 수 있습니다. 스페인어 통역사가 필요한 경우에는 심리가 열리는 날에 법정 직원에게 알려 주십시오. 스페인어가 아닌 다른 언어를 사용하고 영어가 능숙하지 않은 개인들은 통역사 신청을 위한 법원 웹 포털을 통해서 재판일 전에 통역사를 신청할 수 있습니다 <http://www.lacourt.org/irud/UI/index.aspx>. 법원은 심리 날짜와 시간에 통역사를 찾기 위해 모든 노력을 기울일 것이나, 통역사를 즉시 제공한다는 것을 보장할 수 없습니다. 언어 접근 서비스에 대한 질문이 있으시면, 다음의 이메일 주소로 연락해 주십시오: LanguageAccess@LACourt.org.

Aviso de disponibilidad del Portal web para jurisdicción limitada civil para solicitar intérpretes

La corte superior de Los Angeles brinda servicios de intérprete sin cargo para audiencias de jurisdicción limitada civil a las partes que tienen conocimientos limitados de inglés. Se dispone de intérpretes de español en todos los juzgados. Por lo tanto, no es necesario pedir un intérprete de español por adelantado. Si necesita un intérprete de español, infórmele al personal de la sala del juzgado el día de su audiencia. Los individuos con conocimientos limitados de inglés que hablan un idioma que no sea el español pueden solicitar un intérprete antes de la audiencia en la corte por medio del Portal web de la corte para solicitar intérpretes <http://www.lacourt.org/irud/UI/index.aspx>. La corte hará el mayor esfuerzo posible para programar un intérprete para la fecha y hora de su audiencia; sin embargo, no le podemos garantizar de que haya uno disponible en forma inmediata. Si tiene preguntas generales sobre los servicios de acceso lingüístico, envíe un mensaje a LanguageAccess@LACourt.org.

Thông Báo về Cổng Web Thẩm Quyền Hộ Sự Giới Hạn để Xin Cung Cấp Thông Dịch Viên

Tòa Thượng Thẩm Los Angeles cung cấp dịch vụ thông dịch viên miễn phí cho những bên kiện có khả năng Anh Ngữ giới hạn trong những phiên tòa có thẩm quyền Hộ Sự Giới Hạn. Có sẵn thông dịch viên tiếng Tây Ban Nha tại tất cả các tòa. Do đó, không cần phải xin cung cấp thông dịch viên tiếng Tây Ban Nha trước. Nếu quý vị cần thông dịch viên tiếng Tây Ban Nha, xin cho nhân viên phòng xử biết về nhu cầu của quý vị vào ngày quý vị ra tòa. Người có khả năng Anh Ngữ giới hạn và nói một ngôn ngữ không phải tiếng Tây Ban Nha có thể xin cung cấp thông dịch viên trước ngày có phiên tòa của họ qua Cổng Web của Tòa cho Các Yêu Cầu Cung Cấp Thông Dịch Viên <http://www.lacourt.org/irud/UI/index.aspx>. Tuy tòa sẽ nỗ lực để tìm một thông dịch viên cho ngày giờ phiên tòa của quý vị, tòa không thể bảo đảm sẽ có ngay. Nếu quý vị có thắc mắc tổng quát về các dịch vụ ngôn ngữ, xin liên lạc với chúng tôi tại LanguageAccess@LACOURT.org.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp
COURTHOUSE ADDRESS: Spring Street Courthouse 312 North Spring Street, Los Angeles, CA 90012		FILED Superior Court of California County of Los Angeles 11/03/2021 Sherri R. Carter, Executive Officer / Clerk of Court By: <u>R. Perez</u> Deputy
PLAINTIFF(S): Amber M. Ortiz		
DEFENDANT(S): Integrity Motorcar, business form unknown		
NOTICE OF CASE ASSIGNMENT – LIMITED CIVIL CASE		CASE NUMBER: 21STLC07895

Case is assigned for all purposes to the judicial officer indicated below. Notice given to Plaintiff / Cross-Complainant / Attorney of Record on 11/03/2021.

	ASSIGNED JUDGE	DEPARTMENT	ROOM
	Katherine Chilton	25	

Sherri R. Carter, Executive Officer / Clerk of Court

By R. Perez, Deputy Clerk

Instructions for Handling Limited Civil Cases

The following critical provisions, as applicable in the Los Angeles Superior Court are cited for your information.

PRIORITY OVER OTHER RULES: The priority of Chapter Seven of the LASC Local Rules over other inconsistent Local Rules is set forth in Rule 7.2© thereof.

CHALLENGE TO ASSIGNED JUDGE: To the extent set forth therein, Government Code section 68616(i) and Local Rule 2.5 control the timing of Code of Civil Procedure section 170.6 challenges.

TIME STANDARDS: The time standards may be extended by the court only upon a showing of good cause. (Cal. Rules of Court, rule 3.110.) Failure to meet time standards may result in the imposition of sanctions. (Local Rule 3.37.)

Except for collections cases pursuant to California Rules of Court, rule 3.740, cases assigned to the Individual Calendar Court will be subject to processing under the following time standards:

COMPLAINTS: All complaints shall be served and the proof of service filed within 60 days after filing of the complaint.

CROSS-COMPLAINTS: Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints against parties new to the action must be served and the proof of service filed within 30 days after the filing of the cross-complaint. A cross-complaint against a party who has already appeared in the action must be accompanied by proof of service of the cross-complaint at the time it is filed. (Code Civ. Proc., § 428.50.)

DEFAULTS (Local Rule 9.10): If a responsive pleading is not served within the time to respond and no extension of time has been granted, the plaintiff must file a Request for Entry of Default within 10 days after the time for service has elapsed. Failure to timely file the Request for Entry of Default may result in an Order to Show Cause being issued as to why sanctions should not be imposed. The plaintiff must request default judgment on the defaulting defendants within 40 days after entry of default.

NOTICED MOTIONS: All regularly noticed motions will be calendared through the assigned department. Each motion date must be separately reserved and filed with appropriate fees for each motion. Motions for Summary Judgment must be identified at the time of reservations. All motions should be filed in the clerk's office.

EX PARTE MATTERS: All ex parte applications should be noticed for the courtroom.

UNINSURED MOTORISTS CLAIMS: Delay Reduction Rules do not apply to uninsured motorist claims. The plaintiff must file a Notice of Designation with the Court identifying the case as an uninsured motorist claim under Insurance Code section 11580.2.

NOTICE OF CASE ASSIGNMENT – LIMITED CIVIL CASE

STATE LAW REQUIRES THAT YOU GET THIS IMPORTANT ADVISORY INFORMATION FOR BUILDING OWNERS AND TENANTS

This information is available in English, Spanish, Chinese, Vietnamese, and Korean through the Judicial Council of California. People with visual impairments can get assistance in viewing this form through the judicial branch website, at www.courts.ca.gov.

California law requires that you receive this information because the demand letter or court complaint you received with this document claims that your building or property does not comply with one or more existing construction-related accessibility laws or regulations protecting the civil rights of people with disabilities to access public places.

YOU HAVE IMPORTANT LEGAL OBLIGATIONS. Compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open for business to the public. You may obtain information about your legal obligations and how to comply with disability access laws through the Division of the State Architect, at www.dgs.ca.gov/dsa. Information is also available from the California Commission on Disability Access at www.ccda.ca.guide.htm.

YOU HAVE IMPORTANT LEGAL RIGHTS. The allegations made in the accompanying demand letter or court complaint do not mean that you are required to pay any money unless and until a court finds you liable. Moreover, RECEIPT OF A DEMAND LETTER OR COURT COMPLAINT AND THIS ADVISORY DOES NOT NECESSARILY MEAN YOU WILL BE FOUND LIABLE FOR ANYTHING. You will have the right if you are later sued to fully present an explanation of why you believe you have not in fact violated disability access laws or have corrected the violation or violations giving rise to the claim.

You have the right to seek assistance or advice about this demand letter or court complaint from any person of your choice. If you have insurance, you may also wish to contact your insurance provider. Your best interest may be served by seeking legal advice or representation from an attorney, but you may also represent yourself and file the necessary court papers to protect your interests if you are served with a court complaint. If you have hired an attorney to represent you, you should immediately notify your attorney.

If a court complaint has been served on you, you will get a separate advisory notice with the complaint advising you of special options and procedures available to you under certain conditions.

ADDITIONAL THINGS YOU SHOULD KNOW: ATTORNEY MISCONDUCT. Except for limited circumstances, state law generally requires that a prelitigation demand letter from an attorney MAY NOT MAKE A REQUEST OR DEMAND FOR MONEY OR AN OFFER OR AGREEMENT TO ACCEPT MONEY. Moreover, a demand letter from an attorney MUST INCLUDE THE ATTORNEY'S STATE BAR CENSE NUMBER.

If you believe the attorney who provided you with this notice and prelitigation demand letter is not complying with state law, you may send a copy of the demand letter you received from the attorney to the State Bar of California by facsimile transmission to 1-415-538-2171, or by mail to the State Bar of California, 180 Howard Street, San Francisco, CA 94105, Attention: Professional Competence.

STATE LAW REQUIRES THAT YOU GET THIS IMPORTANT ADVISORY INFORMATION FOR BUILDING OWNERS AND TENANTS

REDUCING YOUR DAMAGES. If you are a small business owner and correct all of the construction-related violations that are the basis of the complaint against you within 30 days of being served with the complaint, you may qualify for reduced damages. You may wish to consult an attorney to obtain legal advice. You may also wish to contact the California Commission on Disability Access for additional information about the rights and obligations of business owners.

COMMERCIAL TENANT. If you are a commercial tenant, you may not be responsible for ensuring that some or all portions of the premises you lease for your business, including common areas such as parking lots, are accessible to the public because those areas may be the responsibility of your landlord. You may want to refer to your lease agreement and consult with an attorney or contact your landlord, to determine if your landlord is responsible for maintaining and improving some or all of the areas you lease.